Attorney Docket No. F-6629

IN THE UNITED STATES PATENT AND TRADEMARK OFFIC

In Re Application of: \*

William H. Cork, et al.

Serial No.: 10/031,112

Filed: January 11, 2002

Group Art No.: Not yet Assigned

Examiner: Not yet Assigned

For: MEDICAL SYSTEM, METHOD AND

APPARATUS EMPLOYING MEMS

Commissioner for Patents
Box PCT
U.S. Patent & Trademark Office
Washington, D.C. 20231

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Date of Deposit May 3, 2002

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NAME Jeannie Rapstad

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- 1. Copy of Notification of Missing Requirements (2 sheets);
- 2. Transmittal Letter Form PTO-1390 (in duplicate, 4 sheets total);
- Declaration for Utility or Design Patent Application (4 sheets total);
- 4. Certificate of Mailing (1 sheet); and
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05/10/2002 LLANDGRA 00000039 501039 10031112

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Name:

<u>Jeannie Rapstad</u>

Signed:

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#### United States Patent and Trademark Office

Commissioner for Patents, Box PCT United States Patent and Trademark Office Washington, D.C. 20231

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. 10/031,112 William H Cork F-5629 (CORK 100 US) INTERNATIONAL APPLICATION NO. PCT/US01/21188 Gary W McFarron I.A. FILING DATE PRIORITY DATE Cook Alex McFarron Manzo 07/03/2001 07/07/2000 Cummings & Mehler 200 West Adams street, Suite 2850 **CONFIRMATION NO. 2485** 

> **371 FORMALITIES LETTER** \*OC000000007733941\*

Date Mailed: 04/01/2002

Chicago, IL 60606

#### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Priority Document
- Copy of the International Application
- Request for Immediate Examination

COOK, ALEX, McFARRON, MANZO, CUMMINGS & MEHLER

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the res	sponse.	Baxter	CORK 100
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	OK TO FILE		ue 6/01/02
	MISSIM KOGU	irements of	ue 6/01/02

Telephone: (703) 305-3659

### PART 1 - ATTORNEY/APPLICANT COPY 🕑

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,112	PCT/US01/21188	F-5629 (CORK 100 US)

FORM PCT/DO/EO/905 (371 Formalities Notice)

FORM PTO-1390 U.S. DEPARTMENT OF CO.	MMERCE PATENT AND TRADEMARK (	OFFICE	ATTORNEY 'S DOCKET NUMBER			
· TRANSMITTAL LETTER	O STATES	F-5629 (CORK 100 US)				
DESIGNATED/ELECT CONCERNING A FILIT	CED OFFICE (DO/) NG UNDER 35 U.S	EO/US) S.C. 371	U.S. APPLICATION NO. (If known, see 37 CFR 1.5			
INTERNATIONAL APPLICATION NO. PCT/US01/21188	INTERNATIONAL FIL	JNG DATE	PRIORITY DATE CLAIMED July 7, 2000			
TITLE OF INVENTION Medical System, Method a	<u> </u>	MEMS	33., 1, 2-2-2			
	iam H. Cork, et al.					
Applicant herewith submits to the United St	ates Designated/Elected Of	fice (DO/EO/US)	the following items and other information:			
1. This is a FIRST submission of items						
2. X This is a SECOND or SUBSEQUEN						
3. This is an express request to begin n items (5), (6), (9) and (21) indicated	ational examination proced below.	lures (35 U.S.C. 37	71(f)). The submission must include			
4. The US has been elected by the expi 5. A copy of the International Application	iration of 19 months from th	he priority date (A	rticle 31).			
	d only if not communicated		nal Bureau).			
b. has been communicated by		oy	iai baicauj.			
c. is not required, as the appli	ication was filed in the Unit					
6. An English language translation of the	ne International Application	a as filed (35 U.S.)	C. 371(c)(2)).			
a. is attached hereto.						
b. has been previously submi 7. Amendments to the claims of the Interviously	itted under 35 U.S.C. 154(d		26 II 0 (2. 221/_1/21)			
	ed only if not communicated					
<del></del>	by the International Bureau.	-	mai Duicau).			
	ver, the time limit for making		nts has NOT expired.			
d. have not been made and wi			•			
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).						
9. X An oath or declaration of the invento	of Deciaration					
10. An English lanugage translation of the Article 36 (35 U.S.C. 371(c)(5)).	mailed on January 14, 2002.  An English lanugage translation of the annexes of the International Preliminary Examination Report under PCT					
Items 11 to 20 below concern document	(s) or information include	ed:				
11. An Information Disclosure Stateme	nt under 37 CFR 1.97 and	1.98.				
12. An assignment document for record	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.					
13. A FIRST preliminary amendment.						
14. A SECOND or SUBSEQUENT pro	eliminary amendment.					
15. A substitute specification.						
16. A change of power of attorney and/	or address letter.					
17. A computer-readable form of the se	quence listing in accordanc	e with PCT Rule !	13ter.2 and 35 U.S.C. 1.821 - 1.825.			
18. A second copy of the published inte	rnational application under	: 35 U.S.C. 154(d)	(4).			
19. A second copy of the English langu						
20. X Other items or information: U.S. Post Office Express Mail, Label No. EL 845497539US						
I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on May 3, 2002, and is addressed to Commissioner for Patents, Box						
PCT, U.S. Patent & Trademark Office, Washington, D.C. 20231.  Name: Jeannie Rapstad  Signature  Signature						

U.S. APPLICATION NO. (if knot) 10/031,112	own, see 37 CFR 1.5)		NAL APPLICATION NO. SO1/21188				OCKET NUMBER ORK 100 US)
21. The follow	The following fees are submitted:					<u> </u>	PTO USE ONLY
	BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):						
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO							
International prelin USPTO but Intern	ninary examinatior ational Search Rep	n fee (37 CFR I	I-482) not paid to the EPO or JPC	O	1		
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SEND ALL CORRESPO	NDENCE TO:			JAN)	1/1/	11/21 <b>4</b> 11/1	$\mathcal{W}$
Gary W. McFarron, Esq.					<del>-  </del>		
Cook, Alex, McFar				Galv	N. McF	arron, Esq.	•
Cummings & Mehle 200 West Adams S		)		NAME			
Chicago, IL 60606 27,357							
USA Tal. (312) 236 05	-00			REGISTR		NUMBER	
Tel.: (312) 236-85 Fax: (312) 236-81				1			

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER F-5629 (CORK 100 US)

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

	CONCERNING A FILING	NG UNDER 35 U.S.C	. 371 Not yet Assigned			
	PCT/US01/21188	INTERNATIONAL FILING July 3, 2001				
	TLE OF INVENTION Medical System, Method a	nd Apparatus Employing M				
	APPLICANT(S) FOR DO/FO/IIC	am H. Cork, et al.				
Ī	Applicant herewith submits to the United Sta	ites Designated/Fleeted Office	(DO/EO/US) the following items and other information			
	1. This is a FIRST submission of items	concerning a filing and a 25 r	(DO/EO/US) the following items and other information			
	1. This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.  2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.					
.	3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include					
- [	4. The US has been elected by the expired S. A copy of the International Application	below.	(55 O.S.C. 371(1)). The submission must include			
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1	a is attached hereto (required	only if not communicated by t	ne International Bureau).			
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- [	6. An English language translation of the	International Applications	tates Receiving Office (RO/US).			
1			lled (35 U.S.C. 371(c)(2)).			
1	b. has been previously submitted.  Amendments to the claims of the L.	ed under 35 U.S.C. 154(d)(4).				
1	The Interest of the Interest of the Interest	national Aplication under PCT	Article 19 (35 U.S.C. 371(c)(3))			
ı	are actached hereto (required	only if not communicated by	he International Bureau).			
1	b. have been communicated by the International Bureau.  c. have not been made; however, the time limit for making such amendments has NOT expired.					
	d. have not been made and will	r, the time limit for making suc	ch amendments has NOT expired.			
8	An English language translation of the	not be made.				
9	.X An oath or declaration of the	amendments to the claims unde	er PCT Article 19 (35 U.S.C. 371 (c)(3)). Declaration was inadvertently omitted from			
10	. An earlish language translation of the	) (35 U.S.C. 371(c)(4)).	original submission of Form PTO 1390 mailed			
		unnexes of the International Pro	original submisstion of Form PTO 1390 mailed on January 11, 2002.			
l.,	Items 11 to 20 below concern document(s)	or information included:				
	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.					
Į	2. An assignment document for recording. A separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 2.21 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in compliance with 37 CFP 3.28 and 32 in the separate cover sheet in complex sheet in comp					
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17.	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.					
18.[	A second copy of the published international application under 35 U.S.C. 154(d)(4).					
19.[	A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).					
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I he Offi	20. Other items or information: U.S. Post Office Express Mail, Label No. EL 845498004US  I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post  Attn: Pow Potential Post Addressee" service under 37 CFR 1.10 on January 14, 2002, and is addressed to Committee the Committee of the Comm					
Attil. Box Patent Applications Washington D.C. 20004						
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U.S. APPLICATION NO. (	if known see 37 CER 1 5)			_		
	7	INTERNATIONAL APPLICATION	IO.			
21. The following	FC1//ISO1/04400					OCKET NUMBER
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· CLAIMS	Py da	ite (37 CFR 1.492(e)).		s		
Total claims	NUMBER FILED	NUMBER EXTRA	DATE			
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Independent claims	-3 =	<u> </u>	x \$18.00	\$		
MULTIPLE DEPEN	DENT CLAIM(S) (if ap	plicable)	x \$84.00	\$		
	TOTAL		+ \$280.00	\$		
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are reduced by 1	1/2.	e 37 CFR 1.27. The fees in	idicated above	1	<del></del>	
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ļ	date	(57 CFR 1.492(f)).	0	\$		
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b. Please charge my Deposit Account No in the amount of \$ to cover the above fees.						
c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50/1039 . A duplicate copy of this sheet is read.						
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1.13/ (a) or (b)) must b	e filed and granted to	restore the apply	has not been met.	a petition to	rovivo /2=	CER
SEND ALL CORRESPONDE	NOTETO	er 37 CFR 1.494 or 1.495 restore the application to	pending status.	L	. revive (37)	CFR
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Gary W. McFarron, Est	q.		ZIMU U	ログイイ	711N	ı
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Cummings & Mehler, Ltd.  100 West Adams Street Suite core  Gav W McFarren Core					j	
Chicago, IL 60606	00 West Adams Street, Suite 2850 Chicago, IL 60606  Gary W. McFarron, Esq.					
USA			27,357			
Tel.: (312) 236-8500		•				1
Fax: (312) 236-8176			REGISTRATIO	N NUMBER		

PATENT

Attorney Docket No. F-5629 (CORK 100 US)

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:	)
William H. Cork, et al.	CERTIFICATE OF MAILING BY "EXPRESS MAIL" "Express Mail" Mailing Label No.: EL845498004US
Serial No.: Not yet Assigned	Date of Deposit <u>January 14, 2002</u> I hereby certify that this paper or fee is being 1
Filed: January 11, 2002	United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the U.S. Patent & Trademark Office, Attn: Box Issue Fee, P.O. Box 2327, Arlington, VA 22202
Group Art No.: Not yet Assigned	) NAME
Examiner: Not yet Assigned	) SIGNATURE Garnie Rapstad
For: MEDICAL SYSTEM, METHOD AND APPARATUS EMPLOYING MEMS	

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Commissioner for Patents Attn: Box Patent Applications Washington, D.C. 20231

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- Transmittal Form PTO/1390 (in duplicate, 4 sheets total);
- Declaration Utility or Design Patent Application (3 sheets);
- Certificate of Mailing (1 sheet); and 3.
- Return Receipt Postcard. 4.

Jeannie Rapstad

Signed: Janne Ropstod

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